

PART 2051 - HOURS AND PAY

Subpart I - HOLIDAYS AND OTHER NONWORKDAYS

§2051.401 Definitions.

(a) Holiday. Is any day or part of a day designated a holiday by Federal Statute or Executive Order.

(b) Nonworkday. Is any day during the regularly scheduled administrative workweek so designated by administrative order. A nonworkday is not a holiday (see §2051.403 of this subpart).

§2051.402 Holidays.

If the holiday is on Sunday, the employees' holiday is Monday. If a holiday is on Saturday, the employees' holiday is Friday.

(a) Designated holidays.

New Year's Day, January 1  
Birthday of Martin Luther King, Jr., Third Monday in January  
Washington's Birthday, Third Monday in February  
Memorial Day, Last Monday in May  
Independence Day, July 4  
Labor Day, First Monday in September  
Columbus Day, Second Monday in October  
Veterans Day, November 11  
Thanksgiving Day, Fourth Thursday in November  
Christmas Day, December 25  
Inauguration Day, January 20  
(Observed every fourth year. Applies to employees who work in the District of Columbia, Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties in Virginia, and the cities of Alexandria and Falls Church in Virginia.)

(b) Work on holidays. Work on holidays may be approved by the Administrator, Associate Administrator, Deputy Administrator Program Operations, Deputy Administrator for Financial and Administrative Operations, Assistant Deputy Administrator for Automated Systems Development, and Assistant Administrators (including the Director, Finance Office) or designated officials acting in these positions. State Directors or designated officials acting in these positions may also approve work on holidays. This authority may be redelegated under the provisions for approving overtime work in RD Instruction 2051-H.

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(c) Requesting and documenting administratively authorized work on holidays. Follow the procedures contained in RD Instruction 2051-H for approval requests, justification, reports, and records.

§2051.403 Nonworkdays.

(a) Closing of offices under special circumstances. Offices may be closed by administrative order by the following officials:

(1) By order of the Secretary of Agriculture.

(2) By order of the Administrator, a State Director or the Assistant Administrator Accounting and Director, Finance Office, when work cannot be done due to the following:

(i) State or local holidays. Offices should be closed only when the employees cannot work because:

(A) The building where the employees work is closed, or the building services needed for working are not operating.

(B) Problems with local transportation stop employees from coming to work.

(C) The work of the employees consists largely or entirely in dealing directly with employees and officials of businesses or local government offices, and they cannot be assigned any other work consistent with their normal duties.

(ii) Extreme emergency. Offices may be closed due to events beyond the control of management such as extreme weather conditions, fires, floods, or serious interruption to public transportation services.

(iii) Lack of Facilities. Offices or portions of offices may be closed for short periods when employees cannot work due to such factors as rebuilding, power failure, breakdown of machines, etc. State Directors and the Assistant Administrator Accounting and Director, Finance Office should try to keep offices open or arrange for temporary facilities, first.

(b) Making a report on the closing of offices. If an office is closed by administrative order during the regular workweek, the Administrator should be provided with a memorandum with the reasons for closing the office. If the office will be closed for more than three work days, this memorandum should include the number of employees affected, the work and leave status of these employees, the estimated duration of the closure, and the steps that are being taken to resume office operations. A copy of this memorandum should be retained by the management official who authorized closing the office.

(c) Hazardous weather and other types of administrative dismissals.  
See RD Instruction 2066-A.

§2051.404 Pay.

(a) Pay for holidays and nonworkdays.

(1) Employees, who do not work when a holiday or nonworkday falls within their regularly scheduled tour of duty get their regular pay for that day. Employees covered by this provision include:

(i) Full-time and part-time employees with regular tours of duty and whose pay is fixed on a yearly or monthly basis.

(ii) Employees paid a per diem or per hour rate if they have a regular tour of duty and their appointments are not limited to 90 days or less, or they have been currently employed for a continuous period of 90 days under one or more appointments without a break in service.

(2) Do not pay intermittent employees for a holiday or nonworkday when they do not work.

(b) Pay for work on holidays.

(1) Employees covered under paragraph (a) (1) of this section are paid at twice their basic rate of pay for up to 8 hours if they work on a holiday. However, the aggregate rate of pay for any pay period may not exceed the rate of GS-15, step 10. If employees are assigned to duty on a holiday, they are entitled to pay for at least 2 hours of holiday work.

RD Instruction 2051-I  
§2051.404 (b)(Con.)

(2) Intermittent employees who work on a holiday are entitled to regular pay but not holiday premium pay for the time they work.

(c) Pay for overtime work on holidays. Employees are entitled to Pay for overtime work on a holiday at the same rate as for overtime work on other days.

(d) Pay for work on days designated as nonworkdays by administrative order. Employees who work on nonworkdays are paid at their regular rate of pay.

§§2051.405 - 2051.450 [Reserved]

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